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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 JAMES C. STRINGER,

No. CIV S-04-0551-LKK-CMK-P

12 Petitioner,

13 vs.

ORDER

14 MICHAEL HARRISON, et al.,


15 Respondents.  
16 \_\_\_\_\_/

17 Petitioner, a state prisoner proceeding with appointed counsel, brings this petition  
18 for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pending before the court is petitioner's  
19 request for a certificate of appealability (Doc. 39), filed on April 30, 2007.

20 Petitioner, a state prisoner proceeding pro se, has timely filed a notice of appeal of  
21 this court's [date] denial of his application for a writ of habeas corpus. Before petitioner can  
22 appeal this decision, a certificate of appealability must issue. See 28 U.S.C. § 2253(c); Fed. R.  
23 App. P. 22(b). A certificate of appealability may issue under 28 U.S.C. § 2253 "only if the  
24 applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C.  
25 § 2253(c)(2). The court must either issue a certificate of appealability indicating which issues  
26 satisfy the required showing or must state the reasons why such a certificate should not issue.

1                   Accordingly, the court grants the certificate of appealability on the issues  
2 requested.

3                   DATED: July 2, 2007.

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6                   LAWRENCE K. KARLTON  
7                   SENIOR JUDGE  
8                   UNITED STATES DISTRICT COURT  
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